

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

IN RE:)	Case No. 16-30838
JEFFREY ALLAN SMITH)	S.S.# xxx-xx-8773
)	
Debtor.)	Chapter 7 Bankruptcy

AGREED ORDER FOR RELIEF OF STAY

Comes now Rebecca Hoyt Fischer, the Chapter 7 Trustee in this action ("Trustee"), and Nationstar Mortgage, LLC ("Nationstar"), by counsel, and hereby agree to the entry of an Agreed Order for Relief of Stay and hereby move the Court to approve without further notice or opportunity for hearing by creditors and parties in interest. The Court now finds as follows:

1. On April 19, 2016, Jeffrey Allan Smith ("Debtor") filed a Bankruptcy Petition under Chapter 7 of the United States Bankruptcy Code.
2. On June 23, 2009, Debtor executed and delivered to Nationstar promissory note in the original principal amount of \$158,342.00 (the "Note").
3. On June 23, 2009, in order to secure payment of the Note and other obligations contained in the Note, Debtor executed and delivered to Nationstar a mortgage with respect to the real estate located at 604 Stanley Dr, Westville, IN 46391 (the "Real Estate").
4. The Trustee is attempting to sell the Real Estate as an asset of this bankruptcy estate.
5. On May 31, 2016, Nationstar filed a Motion for Relief from Automatic Stay and Abandonment (Doc. 8).
6. On June 6, 2016, the Trustee filed an Objection to the Abandonment of the Real Estate (Doc No. 15). The Trustee does not object to the lifting of the stay.

Accordingly, it is hereby ordered that:

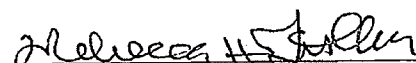
1. The automatic stay of 11 U.S.C. §362(a) of the Bankruptcy Code as it pertains to Nationstar, the Real Estate, and Debtor is hereby vacated and Nationstar may pursue relief against Debtor in a state court action, as if this bankruptcy case had not been commenced up to but not including a sheriff sale of the Real Estate;
2. The 14 day stayed imposed by Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure is waived for cause shown.
3. The Real Estate shall remain property of the bankruptcy estate for nine (9) months from the approval of this order. Following the expiration of the nine (9) months, the Real Estate shall be automatically abandoned from the estate, unless within that nine (9) months the Trustee has entered into a purchase agreement with respect to the Real Estate and Nationstar has agreed to such sale.

Date: June 29, 2016




Judge, United States Bankruptcy Court

Approved as to form and content:



Rebecca Hoyt Fischer, Trustee for
The Bankruptcy Estate of Jeffrey
Allen Smith



Sarah E. Willms, Attorney for Nationstar
Mortgage, LLC